# **EXHIBIT B**

08-01789-cgm Doc 374-2 Filed 08/20/09 Entered 08/20/09 17:29:52 Exhibit E

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Claim Number
Date Received

### BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation

#### **DECEMBER 11, 2008**

Irving H. Picard, Esq.
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

Provide your office and home telephone no
OFFICE: Jay e Neville LLP (212) 696-1999 HOME:

Taxpayer I.D. Number (Social Security No.)

1K0142 LAURENCE KAYE 275 PUFFIN COURT FOSTER CITY, CA 94404 1318

(If incorrect, please change)

NOTE:

BEFORE COMPLETING THIS CLAIM FORM, BE SURE TO READ CAREFULLY THE ACCOMPANYING INSTRUCTION SHEET. A SEPARATE CLAIM FORM SHOULD BE FILED FOR EACH ACCOUNT AND, TO RECEIVE THE FULL PROTECTION AFFORDED UNDER SIPA, ALL CUSTOMER CLAIMS MUST BE RECEIVED BY THE TRUSTEE ON OR BEFORE March 4, 2009. CLAIMS RECEIVED AFTER THAT DATE, BUT ON OR BEFORE July 2, 2009, WILL BE SUBJECT TO DELAYED PROCESSING AND TO BEING SATISFIED ON TERMS LESS FAVORABLE TO THE CLAIMANT. PLEASE SEND YOUR CLAIM FORM BY CERTIFIED MAIL - RETURN RECEIPT REQUESTED.

1.	Claim	for money	balances	as of Dec	cembe	r 11, 2008 <sub>-</sub>
	a. 1	he Broker	owes me	a Credit	(Cr.) Ba	alance of

b. I owe the Broker a Debit (Dr.) Balance of

\$ 0/N/A \$ 0/N/A

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	C.	If you wish to repay the Debit Bala	ance,		
		please insert the amount you wisl	n to repay and	I	
		attach a check payable to "Irving	H. Picard, Esc	٦.,	·
		Trustee for Bernard L. Madoff Inv	estment Secu	rities LLC.'	
		If you wish to make a payment, it	must be enc	losed	
		with this claim form.		\$	<u> </u>
•	d.	If balance is zero, insert "None."			0
2.	Clair	n for securities as of <b>December 11</b>	, 2008:		. •
PLEASE	DO	NOT CLAIM ANY SECURITIES YO	OU HAVE IN Y	OUR POS	SESSION.
			<u>Y</u>	<u>ES</u>	NO
	a.	The Broker owes me securities			-
	b.	I owe the Broker securities	·····		
	C.	If yes to either, please list below:			
					r of Shares or ount of Bonds
Date of				The Broke	
Transact (trade da		Name of Security		Owes Me (Long)	the Broker (Short)
		Please see the November	er 30,		
	· · · · · · · · · · · · · · · · · · ·	2008 Account State			·
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docume	ntatio	on (such as cancelled checks, red	ceipts from th	ne Debtor,	proof of wire

transfers, etc.) of your deposits of cash or securities with the Debtor from as far back as you have documentation. You should also provide all documentation or

### information regarding any withdrawals you have ever made or payments received from the Debtor.

Please explain any differences between the securities or cash claimed and the cash balance and securities positions on your last account statement. If, at any time, you complained in writing about the handling of your account to any person or entity or regulatory authority, and the complaint relates to the cash and/or securities that you are now seeking, please be sure to provide with your claim copies of the complaint and all related correspondence, as well as copies of any replies that you received.

PLEASE CHECK THE APPROPRIATE ANSWER FOR ITEMS 3 THROUGH 9.

NOTE: IF "YES" IS MARKED ON ANY ITEM, PROVIDE A DETAILED EXPLANATION ON A SIGNED ATTACHMENT. IF SUFFICIENT DETAILS ARE NOT PROVIDED, THIS CLAIM FORM WILL BE RETURNED FOR YOUR COMPLETION.

		YES	<u>NO</u>
3.	Has there been any change in your account since December 11, 2008? If so, please explain.		
4.	Are you or were you a director, officer, partner, shareholder, lender to or capital contributor of the broker?		
5.	Are or were you a person who, directly or indirectly and through agreement or otherwise, exercised or had the power to exercise a controlling influence over the management or policies of the broker?		
6.	Are you related to, or do you have any business venture with, any of the persons specified in "4" above, or any employee or other person associated in any way with the broker? If so, give name(s)	·	
7.	Is this claim being filed by or on behalf of a broker or dealer or a bank? If so, provide documentation with respect to each public customer on whose behalf you are claiming.		
8.	Have you ever given any discretionary authority to any person to execute securities transactions with or through the broker on your behalf? Give names, addresses and phone numbers.		

9.	Have you or any member ever filed a claim under th Investor Protection Act of so, give name of that brok	e Securities 1970? if	у			$\sqrt{}$
	Please list the full name a preparation of this claim for Suite 1467, New York N	nd address or orm: <u>Brian J.</u> y 10018	of anyone assi Neville, Lax	sting you in	n the LLP, 1412	<u>Broa</u> dway,
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address,	ship of the account is shan phone number, and extent rsonal account, e.g., corpor	t of ownershi	p on a signed	separate :	sheet. If o	other

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Exhibit B

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This customer claim form must be completed and mailed promptly, together with supporting documentation, etc. to:

and authority. Please supply the trust agreement or other proof of authority.)

Irving H. Picard, Esq.,
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Ave., Suite 800
Dallas, TX 75201

LAX
NEVILLE

LAX & NEVILLE, LLP ATTORNEYS AT LAW

1412 Broadway, Suite 1407 New York, NY 10018 Tel (212) 696-1999 Fax (212) 566-4531 www.laxneville.com

BARRY R. LAX BRIAN J. NEVILLE DAVID S. RICH

SANDRA P. ESPINOSA

April 2, 2009

VIA CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Irving H. Picard
Trustee for Bernard L. Madoff Investment Securities LLC
Claims Processing Center
2100 McKinney Avenue, Suite 800
Dallas, TX 75201

RE: Laurence Kaye /Bernard L. Madoff Investment Securities LLC

Dear Mr. Picard:

This firm represents Laurence Kaye and has assisted him in preparation of his Bernard L. Madoff Investment Securities LLC ("Madoff Securities") SIPC Customer Claim Form. Enclosed herein you will find a completed Customer Claim Form for Laurence Kaye's IRA account. Additionally, below is a description of the relationship between Laurence Kaye and Madoff Securities. The statements made in this letter are true and accurate to best of our knowledge and belief, and are being provided to support Laurence Kaye's SIPC claims.

Laurence Kaye is 66 years old and is married to Suzanne Kaye. In or about 1998, Laurence Kaye opened a Roth IRA account with Madoff Securities. Laurence Kaye contributed \$147,876.60 to the Roth IRA account in 1998. Laurence Kaye did not make any additional contributions to the account, and did not withdraw any funds from his Roth IRA account.

Lax Neville

Irving H. Picard April 2, 2009 Page 2 of 3

Laurence Kaye invested over 95% of his retirement funds with Madoff Securities and has lost it all. The Kaye's are being forced to sell their home. Their bank accounts are depleted, and their only current source of income is social security benefits and a small pension. The Kaye's exemplify the severity, scope and hardship caused by the Madoff fraud. Please, any expedited determination of this claim is greatly appreciated.

Laurence Kaye received account statements and confirmations from Madoff Securities reflecting the securities purchased and showing he held securities in his IRA account. Attached hereto as Exhibit A is the Madoff Securities account statement for Laurence Kaye's IRA account, dated November 30, 2008. Also attached hereto as Exhibit B are Madoff Securities November 2008 confirmations, which list SIPC membership, for Laurence Kaye's IRA account. Based upon the account statements and the confirmations, Laurence Kaye at all times expected to have those securities in his IRA account. The balance in Laurence Kaye's IRA account as of the filing date is \$531,692.94. See the November 30, 2008 account statement as Exhibit A.

### **CONCLUSION**

Laurence Kaye is seeking the full protection of SIPA for his account as follows:

Account No: 1-K0142-3-0

Laurence Kaye IRA Account

Total = \$531,692.94

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LAX

Irving H. Picard April 2, 2009 Page 3 of 3

If there are any questions regarding this matter or if you require additional documents and information, please do not hesitate to contact me. Thank you.

Very truly yours,

Lax & Neville, LLP

By:

Brian J. Neville

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## **EXHIBIT A**

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Affiliated with:
Madoff Securities International Limited
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Madoff Securities International Limited 12 Berkeley Street, Mayfair, London W1J 8DT. Tel 020-7493 6222  Member of The London Stock Exchange  BERNARD L. MADOFF INVESTMENT SECURITIES LLC New York □ London  BERNARD L. MADOFF INVESTMENT SECURITIES LLC FINRA NSX SIPC NSCC DTC  212 230-2424 800 334-1343 Fax 212 838-4061  CRIGINATOR NO. DELIVERED ACCOUNT NUMBER DIR TRANS. NO. TR CAP SETT TRADEDATE SETTLEMENT DATE  0646  1-K0142-3 D 65124 5 1 11/06/08 11/12/08 1DENTIFICATION NO. CONTRA PARTY CH. NUMBER SPECIAL DELIVERY INSTRUCTIONS  ***** DUPLICATE ****  ACCT OF/ NTC 6 CO*  LAURENCE KAYE 275 PUFFIN COURT FÜSTER CITY CA 94404  WE QUANTITY CUSIP NUMBER SECURITY DESCRIPTION NETAMOUNT  SLD 275 718172109 PHILLIP MORRIS INTERNATIONAL 12001.000	16	•940		15093.54	35	5 • O	0									i
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Affiliated with:
Madoff Securities International Limited
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